

DEPUTY CLERK

IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION
JULY 2015 SESSION

UNITED STATES OF AMERICA

V.

WARREN EVANS, JR.,

a/k/a "Charlie's brother,"

Defendant.

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Criminal No. 5:15CR00020

Violations:

21 U.S.C. §§ 846 & 841(b)(1)(A)

21 U.S.C. §§ 846 & 841(b)(1)(C)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

1. Beginning at a date unknown to the Grand Jury, but from in or around approximately February 2013, and continuing through October 2014, in the Western District of Virginia and elsewhere, the defendant, **WARREN EVANS, JR.**, and others both known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate, and agree, together and with other persons, to commit the following offenses against the United States:

a. to distribute and to possess with the intent to distribute 1,000 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A);

b. to distribute and to possess with the intent to distribute 280 grams or more of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A); and

c. to distribute and to possess with the intent to distribute a mixture and substance containing a detectable amount of cocaine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

2. All in violation of Title 21, United States Code, Sections 846, 841(b)(1)(A), and 841(b)(1)(C).

COUNT TWO

1. Beginning at a date unknown to the Grand Jury, but from in or around approximately February 2013, and continuing through October 2014, in the Western District of Virginia and elsewhere, the defendant, **WARREN EVANS, JR.**, and others both known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate, and agree, together and with other persons, to distribute and to possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, the use of which resulted in the serious bodily injury and death of R.F.L. on or about March 19, 2014.

2. All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(C).

NOTICE OF FORFEITURE

1. Upon conviction of one or more of the felony offense(s) alleged in this Indictment, the defendant shall forfeit to the United States:

a. any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offenses, pursuant to 21 U.S.C. § 853(a)(1).

b. any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said offenses, pursuant to 21 U.S.C. § 853(a)(2).

2. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL, this 21 day of July, 2015.

s/FOREPERSON
FOREPERSON

Eugene W. Wright for
ANTHONY P. GIORNO
ACTING UNITED STATES ATTORNEY